

Yes, they are.

23. You have given us them as I understand, the names of all the children of Mr. Benoni Dawson and of his married children, Mrs. Waters, Mrs. Darby and Mrs. Allnutt?

Yes.

To the formal interrogatory, the witness answers,

No.

Henry C. Allnutt.

Rockville Maryland.

Sept. 24th, 1913.

William W. Millan, a witness of lawful age, having been first duly sworn and examined, deposes and says--

I am over forty years of age, a resident of Washington D. C. and a member of the Bar of the Supreme Court of the District of Columbia.

1. Do you know Mr. Gerden Strong, the Plaintiff in this case, and did you have any professional connection with the transfer to him recently of any interest in the land described, in the Bill, if so, what?

I knew Mr. Strong. My firm has represented him professionally for many years, and I personally have charge of the negotiations by which he acquired his interest in this land. said interest being an undivided nineteen-twenty-fourths, the remaining five-twenty-fourths are owned by the defendants, Robert T. Waters, Frederick L. Waters, Sarah D. Waters and George W. Waters and Benoni D. Waters. I found the investigation of the title, which I caused to be made and assisted in making that Thomas Dawson, who acquired this property from the Bank of the United States by deed recorded among the land records of Frederick County Maryland, in Liber J. S. No. 49, Folio 31, made a will disposing of all of this property, which was duly probated in Montgomery County, said State, and I now produce and file as a part of my deposition a certified copy of the same, as recorded in W. T. of R., No. 2, Folio 51, of the record of wills in said County, the same to be marked exhibit "Will T. D." I also find that Joseph N. Dawson, executor and residuary legatee under said will, himself made a will disposing of all of his property and among other things confirming the property now in question to the children of his brother, Benoni Dawson. Said will was also duly admitted to probate in said Montgomery County, and I now produce and file as part of my deposition, a certified copy of the same as recorded in will book J. W. S. No. 1, folio 295, the same to be marked Exhibit Will J. N. D.

I ascertained from my investigation that the names of the children of the said Benoni Dawson and their children were as stated by the other witnesses herein, with whose depositions I am familiar. I thereupon prepared and procured the execution of deeds from all of the surviving children of the three children of Benoni Dawson, who died leaving issue, except the five defendants whom I have previously named as owning part of this property, the grantors in said deeds being the same parties mentioned by the other witnesses in this cause assuring surviving children of the daughters of Benoni Dawson. I now produce and file as a part of my deposition certified copies of these several deeds from the land records of Frederick County, as follows--Deed from Louise D. Steward and husband, dated October 26, 1912, recorded in Liber H. W. B. No. 302 at folio 346, to be marked Exhibit No. 5; deed from Mary W. Gittings et. al. dated the second day of November 1912 recorded in Liber H. W. B. No. 302, folio 345, the same to be marked Exhibit No. 6; deed dated October 5, 1912, from Joseph N. Allnutt et. al. recorded in Liber